P 13-E

Preserve

Previous References

193 .
(bd)

File No. 11-31

Serial Nos. 84, 274, 294,

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3

Part B for

SUBJECT.

Amendment of the Cooperative Societies Act relating to the recovery of debts due or liquidated sums from persons the Revenue agency as an arrears of Land Revenue

WD 0418—GPB—22,500—29-8-36

5343

GENERAL AND REVENUE SECRETARIAT.

(G.S.)

NOTES.

File No. 11-36

FILE HEADING.

Recommendations of the Committee on Cooperation Enquiry.

FROM The Registrar of Cooperative Societies in Mysore

No. 7891 Dated 29-3-37. Received 31-3-37

Diary No. 5346 Enclos. — Spare copies — Serial No. 84

BRIEF ABSTRACT OF LETTER

Recommends the amendment of section 42 (4) of the Co. Regulation providing for the enforcement of the orders of liquidators by execution through the Revenue Department as an arrear of Land Revenue.

NOTES AND ORDERS.

The Committee on Cooperation state that as the liquidation work particularly the collection and distribution of assets is troublesome and as the enforcement of the orders of the liquidator through the Civil Courts will lead to delays and difficulties, ~~the Madras and~~ provision as in the line in Madras & Bombay, should be made in addition to the existing revenue machinery Civil Courts, for recovery of sums ordered to be recovered as a Contribut

NOTES—First Sheet

5343

by File No. 11 of 1936 | General and Revenue Secretariat

to the assets of the society or as Costs of liquidation on a requisition by the Registrar to the Deputy Com in this behalf in the same manner as an arrear of land revenue. The Registrar states that the enforcement of execution by the Revenue Dept does certainly simplify and quicken recovery and suggests amendment of the 42(4) of the Co. Regulations which runs as follows "Orders made under this section shall on application be enforced as follows (a) when made by a liquidator by any civil Court having local jurisdiction in the same manner as the decree of such Court (b) when made by the Court of the District Judge in the matter of any such appeal as aforesaid in the same manner as a decree of such court made in any suit pending therein."

2) If approved the Registrar will be requested to furnish information regarding the provision in Bombay & Madras and suggest suitable amendments to the Regulations for orders of Govt. Dft Orders for consideration

27/5/37 28/5 3) The Committee have examined the law on the subject which is in force in Bombay and Madras and have recommended that a similar provision be made in our Regulations for the summary recovery of members' debts as arrears of land revenue. The recommendation may be accepted and the Registrar

Collection of debts of Co-operative societies through the Rev Agency

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

Bhabha X Pat 170

GENERAL SECRETARY. 31 MAY 1937 2767

requested to propose amendments to the regulations.

Rev Secy 30.5.37

Secd 15/6/37

Ly 15.6.37

4) Hon Second Member

5) This may be done. At the same time it is necessary to deal in one order with all the recommendations of the Committee regarding liquidation winding up & cancellation. The Rules are now proceeding.

Secd 22/6/37

Secd 23/6

Ly 28.6.37

6) Draft Rules. This question will also be included in the order to be put up at Annexure Bhabha X of the report.

11/7/37 Done

7) A consolidated order may be put up as directed by the Member (after getting orders on individual recommendations)

Ly 1.7.37

8) The Hon. may move

Ly 1.7.37

Put with 5347/36

TYPING SECTION

NOTE—Contn. Sheet.

Typing section for typing putting up fair copies

WD 0417—GPB—80,000—8-9-36

Amendment of Sec 42(4)(c) of the Act

5343/36 1489/38

File No. of 193 General and Revenue Secretariat

Serial No.

G.O. No D 61-62 dated 8/7/38 having reference to the matter and calling for draft Amendment.

Letter No 3679 dated 12/9/38 from the Registrar of Co. stating that he has in drafting a provision in Sec 43C(b) to that effect and that question of amending Section 42(4)(c) may be considered etc.

Submitted for perusal. The Registrar reports that he has taken up the question of introducing a Comprehensive bill to amend the Co. Act: this matter of this bill will be considered

19/9/38

(Secy. L.S.G.)

19.9.

20.9.38

20/9

SECY. LOCAL SELF GOVT. 19. SEP. 1938 GOVT. OF MYSORE.

No. 7891 C.S.

GOVERNMENT OF MYSORE

DEPARTMENT OF CO-OPERATION.

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE,

Telegraphic Adderss : "CO-OPERT" BANGALORE

C.S. 11-36-84 5343 Dated, Bangalore, 29th March 1937.

From

GULAM MOHIYUDDIN MEHKRI, ESQ., B.A., LL.B.,
Registrar of Co-operative Societies in Mysore,
Bangalore.

To

V. Vedavyasachary[illegible],
General Secretary to the Government
of Mysore, B a n g a l o r e.

Sir,

I have the honour to invite reference to the recommendation of the Committee on Co-operation in Mysore on page 170 re: collection of debts and contributions under the Liquidators' orders through the Revenue agency and to state that as in Madras, all sums due to the society or ordered to be recovered as a contribution to the assets of the society or as costs of liquidation may be made recoverable in the same manner as an arrear of Land Revenue. If this meets with the approval of Government, necessary amendment will be proposed to Section 42(4) of the Mysore Co-operative Societies' Regulation and the Rules framed thereunder.

I have the honour to be,
Sir,
Your most obedient servant,

M. G. Mehkri
Registrar.

L.S.27/3.

G. R. S. App. F VI—G 2]

SUBJECT ..... Decpts

.....

.....

Diary. No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

Date of issue 8.7.38 .....193 .

Signed by .....

Page 170 + 223 of the report

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

12 Copies

8.7

Section B1

File No. 11-36

Serial No. 274

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— the following recommendations of the Commission on Cooperation.

"The orders of the liquidator in regard to the collection and distribution of assets have at present to be enforced by applying to the Civil Court with its attendant delays and difficulties. Provision may be made ~~Order thereon—No~~ (as in Bombay & Madras) for the summary recovery of members' debts under the liquidator's orders through execution by the Revenue Department in the same manner as arrears of land revenue

Letter No 7891/Co. dated 29/3/38 from the Registrar Co-operative Societies

in order to give effect to the recommendations of the committee, all sums due to the Society or ordered to be recovered as a contribution to the assets of the Society or as costs of liquidation may be made recoverable in the same manner as arrears of land revenue; in order to as in cases and requiring orders in this matter

order No. D. 164-b2

The recommendations of the committee as suggested by the Registrar are approved. The Registrar is requested to furnish draft Amendment to the C.S. Act Regulation with the statement of objects and reasons.

Sd/-
2.7.35
Secretary

To The Registrar
The Revenue

List of Enclosure

Copied by

Examined by

WD 03602—GPB—22,500—12-7-35

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

The following recommendations of the Committee on Co-operation:-

"The orders of the liquidator in regard to the collection and distribution of assets have at present to be enforced by application to the Civil Court with its attendant delays and difficulties. Provision may be made (as in Bombay and Madras) for the summary recovery of member's debts under the liquidator's orders through execution by the Revenue Department in the same manner as arrears of land revenue."

2. Letter No.7791/C.S. dated 29th March 1937 from the Registrar of Co-operative Societies, stating that in order to give effect to the recommendations of the Committee all sums due to the society or ordered to be recovered as a contribution to the assets of the society or as costs of liquidation may be made recoverable in the same manner as an arrear of land revenue, as in Madras and requesting orders in the matter.

ORDER NO: D 161-62/Cs. 11-36-27

Dated, Bangalore, the 8th July 1938.

The recommendations of the Committee as supported by the Registrar are approved. The Registrar is requested to forward draft amendments to the Co-operative Societies Act with the statement of objects and reasons.

By order and in the name of the Secretary to Government.
H. L. S. G. Department

To

The Registrar of Co-operative Societies in Mysore.

The Revenue Commissioner in Mysore.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read :—

The following recommendations of the Committee on Co-operation:-

"The orders of the liquidator in regard to the collection and distribution of assets have at present to be enforced by application to the Civil Court with its attendant delays and difficulties. Provision may be made (as in Bombay and Madras) for the summary recovery of member's debts under the liquidator's orders through execution by the Revenue Department in the same manner as arrears of land revenue"

2. Letter No.7391/C.S. dated 29th March 1937 from the Registrar of Co-operative Societies, stating that in order to give effect to the recommendations of the Committee all sums due to the society or ordered to be recovered as a contribution to the assets of the society or as costs of liquidation may be made recoverable in the same manner as an arrear of land revenue, as in Madras and requesting orders in the matter.

ORDER NO. D 161-62 / Co-S. 11-36-274

Dated, Bangalore, the 6th July 1938.

The recommendations of the Committee as supported by the Registrar are approved. The Registrar is requested to forward draft amendments to the Co-operative Societies Act with the statement of objects and reasons.

By Order,
P S Narasimha
Secretary to Government.
L. S. G. Department

To

The Registrar of Co-operative Societies in Mysore.

Revenue Commissioner in Mysore.

CR/12

D. B. No 1/3-8-39

App. F VI G 10.

Chapter X

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

G. O. No. D 161-62/bj 11-36-27 DATED 8/7/38

May this be

i. printed ? Yes

ii. treated as a standing order ? Yes

iii. published in the Gazette English Part ? Yes

iv. translated ?

v. placed at the disposal of the press ?

iv. published in the Gazette Kannada Part ? } No.

Recovery of debts etc

Passed orders in the matter of the ——— under the orders of the liquidators of cooperative societies

1/7/38

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

The following recommendations of the Committee on Co-operation:-

"The orders of the liquidator in regard to the collection and distribution of assets have at present to be enforced by application to the Civil Court with its attendant delays and difficulties. Provision may be made (as in Bombay and Madras) for the summary recovery of member's debts under the liquidator's orders through execution by the Revenue Department in the same manner as arrears of land revenue"

2. Letter No.7891/C.S. dated 29th March 1937 from the Registrar of Co-operative Societies, stating that in order to give effect to the recommendations of the Committee all sums due to the society or ordered to be recovered as a contribution to the assets or the society or as costs of liquidation may be made recoverable in the same manner as an arrear of land revenue, as in Madras and requesting orders in the matter.

ORDER NO: D. 161-62/CS.11-36-27

Dated, Bangalore, the 8th July 1938.

The recommendations of the Committee as supported by the Registrar are approved. The Registrar is requested to forward draft amendments to the Co-operative Societies Act with the statement of objects and reasons.

(Sd) P H Krishna Rao

~~General~~ Secretary to Government.
L. S. G. Department

To

The Registrar of Co-operative Societies in Mysore.

" Revenue Commissioner in Mysore.

"Press Copy"

SR/12

J B Narasimhaiah
for Secretary to Govt.
L-S-G. Department

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. D. 161-62—C. S. 11-36-274, dated 8th July 1938.

Recovery of Debts.

Passes orders in the matter of the ——, etc., under the orders of the Liquidators of Co-operative Societies.

READ—

The following recommendations of the Committee on Co-operation :—

"The orders of the liquidator in regard to the collection and distribution of assets have at present to be enforced by application to the Civil Court with its attendant delays and difficulties. Provision may be made (as in Bombay and Madras) for the summary recovery of member's debts under the liquidator's orders through execution by the Revenue Department in the same manner as arrears of land revenue."

2. Letter No. 7891—C. S., dated 29th March 1937, from the Registrar of Co-operative Societies, stating that in order to give effect to the recommendations of the Committee all sums due to the society or ordered to be recovered as a contribution to the assets of the society or as costs of liquidation may be made recoverable in the same manner as an arrear of land revenue, as in Madras and requesting orders in the matter.

ORDER No. D. 161-62—C. S. 11-36-274, DATED BANGALORE, THE 8TH JULY 1938.

The recommendations of the Committee as supported by the Registrar are approved. The Registrar is requested to forward draft amendments to the Co-operative Societies Act with the statement of objects and reasons.

P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

To—The Registrar of Co-operative Societies in Mysore.
The Revenue Commissioner in Mysore.

Exd.—C. K.

WD 79—GPB—520—12-7-38

C. S. 11-36-294.

GOVERNMENT OF MYSORE.

No. 3679 C. S.

DEPARTMENT OF CO-OPERATION.

OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN MYSORE.

Telegraphic Address: "CO-OPERT" Bangalore

Dated Bangalore, 12th September 1938.

1487

GEN. & REVENUE SECRETARIAT 12 SEP. 1938 DEVELOPMENT BRANCH.

FROM

M. ABDUL HUKH, Esq., B.A.,
Registrar of Co-operative Societies in Mysore,
BANGALORE.

To

P.H.Krishna Rao,Esq.,M.A.,
Secretary to the Government of Mysore,
Local Self-Government Department, Bangalore.

Sir,

Adverting to Government Order No.D.161-62/C.S.11-36-274 dated 8th July 1938, instructing me to submit draft amendments to the - Mysore Co-operative Societies' Act to enable the recovery of money due to a society or ordered to be recovered as a contribution to the assets of the society or as costs of liquidation, in the same manner as an arrear of land revenue, I have the honour to invite your kind reference to Section 43C(b)of the Mysore Co-operative Societies' Act which provides for the recovery of such monies as an arrear of land revenue,by the Deputy Commissioner on a requisition therefor by the Registrar or the Assistant Registrar. This provision is in addition to the provision contained in Section 42(4)(a). As in these circumtances there does not appear to be any necessity for amending the Act, the question may perhaps be dropped. I have taken up the question of preparing a consolidated Bill to amend the Co-operative Societies' Act and I shall keep this in view so that this provision may be incorporated in its proper place in Section 42.

I have the honour to be,
Sir,
Your most obedient servant,

Registrar.

L.S.10/9.